

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims 33-55 and 57-60 are pending in the application.

The second instance of claim 41, i.e., the claim following claim 46 is amended to read claim 47; claims 34-42 are amended to recite "The data"; claims 45-52 are amended to recite "The method" and claims 57-59 are amended to recite "The database" to address the claim objections noted in the Official Action.

Claims 33, 44, 54 and 60 are amended to provide proper antecedent basis for the output to address the 35 USC 112, second paragraph rejection noted on page 3 of the Official Action.

Claims 33-55 and 57-60 were rejected under 35 U.S.C. 103(a) as being unpatentable over SORVARI et al. U.S. Publication No. 2004/0043758 in view of BARRY et al. U.S. Publication No. 2005/0216421. That rejection is respectfully traversed.

On page 32 in the response to arguments section of the Official Action, the Examiner concludes that SORVARI discloses "person-based metadata".

However, present Claim 33 recites "person-based metadata that identifies the subscriber to the data element".

In the pages in support of the conclusion on page 32, i.e., pages 31 and 32, no explanation is offered as to how the metadata of SORVARI would identify a subscriber. Specifically,

none of the metadata types mentioned in SORVARI as being applied in the metadata vector of SORVARI provides subscriber information.

The Examiner offers paragraphs [0035] and [0038] in support of his conclusion, however, these passages and in fact, the entirety of SORVARI is silent as to the type of applied metadata, and specifically lacks any reference to subscriber information.

If the Examiner is to continue to apply SORVARI, the Examiner is respectfully requested to indicate where SORVARI discloses "person-based metadata that identifies the subscriber to the data element".

The Examiner is also asked to explicitly identify what parts of SORVARI disclose the recited output means. Paragraphs [0035] and [0038], noted in the Official Action are completely silent on several features of the claimed output means.

For example, in SORVARI metadata is generated automatically, so contrary to what is recited:

- the metadata of SORVARI is not generated by a selection of the user of the wireless device;
- no selection option for selecting the name information of a subscriber is output in SORVARI.

The Examiner is respectfully requested to explicitly identify what parts of SORVARI disclose the recited input means. Paragraph [0048], noted in the Official Action discloses a conventional SIM card, but no input means.

In the absence of even these basic recited elements of the invention, it is impossible for applicant to determine any relevance between the claimed features and SORVARI.

These deficiencies are not remedied by BARRY. In general, BARRY does not deal with operations involving metadata and thus, is silent on all the respective features applying the person-based metadata as presently claimed.

It is submitted that neither SORVARI nor BARRY disclose attaching person-based metadata that identifies the subscriber to data elements, nor use attached person-based metadata to control access to the data element.

The above-noted features, are absent from each of the references, are absent from the proposed combination, and thus, the proposed combination of references does not meet the present claims.

The analysis above regarding claim 33 equally applies to claims 43, 44, 53 54, 55 and 60 with respect to the corresponding features.

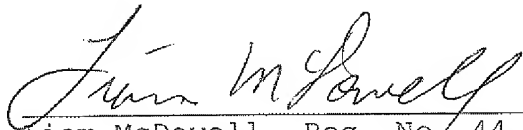
In view of the present amendment and the foregoing remarks, it is believed that the application has been placed in

condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in cursive script, appearing to read "Liam McDowell", is written over a horizontal line.

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